



LEIBEL LAW
PERSONAL INJURY • BUSINESS LITIGATION
STEVEN LEIBEL, P.C.

May 3, 2021

Certified Mail # 7018 1830 0002 0139 4104
RETURN RECEIPT REQUESTED

Jenkins & Stiles, LLC
10617 Deerbrook Drive
Knoxville, TN 37922

RE: Our Client: Alberta Perry, the widow of Vincent Mckinney
Date of Incident: April 14, 2021

Dear Sir or Madam:

Please be advised that this office represents Alberta Perry with regard to the fatal injuries her husband Vincent Mckinney sustained in an incident at MBCI located at 7640 Oak Ridge Hwy Knoxville, TN 37931-3335 which occurred on April 14, 2021.

Pursuant to O.C.G.A. § 33-3-28, amended, you are requested to provide, within sixty (60) days from receipt of this letter, a statement, under oath, of a corporate officer or the insurer's claims manager providing a copy of the declaration page of each policy of insurance that was in effect on April 14, 2021. You are requested to amend any information provided upon the discovery of facts inconsistent with or in addition to the information provided.

If our client or client's spouse has given a recorded statement, please forward a copy of the transcript of that statement to my office immediately. Please produce all photos you have relative to the incident. This letter serves as formal notice to you that any authorization for medical records previously authorized by our client is not to be used in obtaining medical records and is hereby revoked.

This letter is also to formally demand preservation of certain evidence relevant to this incident. If you fail to properly secure and preserve those important pieces of evidence, it will give rise to a legal presumption that the evidence would have been harmful to your side of the case. The destruction, alteration, or loss of any of the relevant evidence, may constitute spoliation under applicable law. If you fail to preserve and maintain this evidence, we will seek sanctions available under law. We specifically request that the following evidence be maintained and preserved and not be destroyed, modified, altered, repaired or changed in any manner regarding the premises of 7640 Oak Ridge Hwy Knoxville, TN 37931-3335:

1. Any audio and video surveillance footage that captured the incident from April 14, 2021 to include all cameras both outside and inside of 7640 Oak Ridge Hwy Knoxville, TN 37931-3335.
2. Any internal reports written about the incident on April 14, 2021 from any staff member

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or independent contractor of MBCI at 7640 Oak Ridge Hwy Knoxville, TN 37931-3335

3. Any statements, written or audio recorded, taken with reference to the incident on April 14, 2021.
4. Any audio and video recordings involving the staff speaking with my client, his family, any witnesses, or the other parties involved in this incident on April 14, 2021.
5. Any photographs taken in reference to the incident on April 14, 2021.
6. Any identifying information about the witnesses involved in the incident on April 14, 2021.
7. Any information and documentation regarding the employee who was operating the forklift that was involved in the incident at 7640 Oak Ridge Hwy Knoxville, TN 37931-3335
8. Any and all maintenance / repair / inspection reports regarding the forklift that was involved in the incident on April 14, 2021.
9. Any and all documentation, information, or any other data that you have pertaining to the incident that happened on April 14, 2021 at MBCI located at 7640 Oak Ridge Hwy Knoxville, TN 37931-3335

Also, please do not alter the forklift that was involved in this incident in any way until we have had a chance to inspect it. We are also requesting at this time to inspect the site where the incident occurred. Someone from my office will be in touch to set this up.

Thank you in advance for your prompt response to this request. If you have any questions, please feel free to contact me at (404) 892-0700. You may fax the certificate of coverage to my attention at (770) 844-0015.

Best regards,

STEVEN LEIBEL, P.C.



Steven Leibel

SKL/rm